# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/728,195 | 11/30/2000 | Elizabeth Ann Beamon | 206899 | 4425 |

| 36192 | 7590 | 12/10/2003 |
|---|---|---|

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| EXAMINER |
|---|
| TRAN, QUOC DUC |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2643 | 11 |

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | Application No. | | Applicant(s) |
|---|---|---|---|
| **Office Action Summary** | 09/728,195 | | BEAMON, ELIZABETH ANN |
| | Examiner | | Art Unit |
| | Quoc D Tran | | 2643 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>22 September 2003</u>.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-19* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

13)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

     a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.      Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kinser, Jr. et al

(5,790,633).

Consider claim 1, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks for a telephone system local loop, the method comprising: storing local loop proactive

maintenance tasks; and searching the tasks using at least one search criteria (col. 12 line 41 – col.

14 lines 58).

Consider claim 2, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks further comprising predicting local loop proactive maintenance tasks (col. 29 line 41 – col.

30 line 17).

Consider claim 3, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks wherein the at least one search criteria includes at least one of Proactive Maintenance

Application number, Trouble Ticket Number, area code, status, Wire Center, district, manager,

and supervisor (col. 12 line 41 – col. 14 lines 58).

Consider claim 4, Kinser, Jr, et al teach a method of managing proactive maintenance

tasks wherein the at least one search criteria includes at least one of technician, date, address,

description, technician narrative, disposition code, priority, intermediate status code, work code,

authorization, cable, and line pair (col. 12 line 41 – col. 14 lines 58).

Consider claim 5, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks further comprising sorting the tasks using at least one sort criteria (col. 27 lines 15-61).

Consider claim 6, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks wherein the sort criteria includes at least one of Proactive Maintenance Application

number, Trouble Ticket Number, area code, status, Wire Center, district, manager, and

supervisor (col. 27 lines 15-61).

Consider claim 7, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks wherein the sort criteria includes at least one of technician, date, address, priority, status

code, work code, and authorization (col. 27 lines 15-61).

Consider claim 8, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks further comprising editing the local loop proactive maintenance tasks using at least one edit

criteria, the edit criteria including at least one of wire center, district, priority, date, work code,

manager, supervisor, technician, maintenance center, authorization, address, and work

description (col. 12 line 65 – col. 14 lines 58).

Consider claim 9, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks further comprising acquiring cable and line pair information associated with the local loop

proactive maintenance tasks (col. 13 lines 30-37).

Consider claim 10, Kinser, Jr. et al teach a method of managing proactive maintenance

tasks further comprising generating work order information describing the local loop proactive

maintenance tasks (col. 14 line 59 – col. 15 line 4; col. 16 lines 32-65).

Consider claim 11, Kinser, Jr. et al teach a method of managing proactive maintenance tasks further comprising dispatching the local loop proactive maintenance tasks (col. 14 lines 28-67).

Consider claim 12, Kinser, Jr. et al teach a method of managing proactive maintenance tasks further comprising adding additional local loop proactive maintenance tasks to the stored tasks (col. 14 lines 48-64).

Consider claim 13, Kinser, Jr. et al teach a method of managing proactive maintenance tasks further comprising deleting stored tasks (col. 14 lines 48-64).

Consider claim 14, Kinser, Jr. et al teach a method of managing proactive maintenance tasks further comprising excluding stored tasks (col. 14 lines 48-64).

Consider claim 15, Kinser, jr. et al teach a method of managing proactive maintenance tasks further comprising communicating with a communications network and acquiring information associated with a Loop Maintenance Operating System (col. 13 lines 6-16).

Consider claim 16, Kinser, Jr. et al teach a method of managing proactive maintenance tasks further comprising searching pending proactive maintenance tasks (col. 12 line 41 – col. 14 lines 58).

Consider claim 17, Kinser, Jr. et al teach a method of managing proactive maintenance tasks further comprising generating summary reports describing the tasks (col. 14 lines 54-58).

Consider claim 18, Kinser, Jr. et al teach a system configured for predicting proactive maintenance of a telephone system local loop, the system comprising: at least one of a Dynamic Network Analyzer module and a Loop Facilities and Control System module, the Dynamic Network Analyzer module communicating with a communications network and acquiring

information associated with a Dynamic Network Analyzer, the Loop Facilities and Control

System module communicating with the communications network and acquiring information

associated with a Loop Facilities and Control System (col. 29 lines 41-57; col. 34 lines 37-58;

col. 50 lines 59-61); a database stored in memory, the database storing the acquired information;

a processor capable of processing information stored in the database and of generating predicted

proactive maintenance (col. 29 line 30 – col. 31 line 5; col. 33 line 66 – col. 47 line 41; Fig. 21-

22 and 24-25); and a Utilities module for managing the predicted proactive maintenance (col. 14

lines 48-58).

Consider claim 19, Kinser, Jr. et al teach a computer program product for proactively

maintaining a telephone system; comprising: a computer-readable medium; and a Utilities

module stored on the medium, the Utilities module managing local loop proactive maintenance

tasks (col. 14 lines 48-58).

### *Conclusion*

3.      The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

4.      Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Facsimile responses should be faxed to:

**(703) 872-9306**

Hand-delivered responses should be brought to:
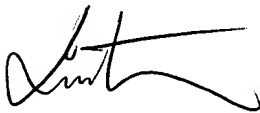
Crystal Park II, 2121 Crystal Drive

Arlington. VA., Sixth Floor  (Receptionist)

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**.  The

examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

Quoc D. Tran
Patent Examiner AU 2643
December 6, 2003